



Public Notice

**U.S. Army Corps
Of Engineers
Galveston District**

Permit Application No: 23104
Date Issued: 3 August 2004
Comments Due: 2 September 2004

**U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT
AND
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**

PURPOSE OF PUBLIC NOTICE: To inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

AUTHORITY: This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

APPLICANT: Aransas County
1931 FM 2165
Rockport, Texas 78382-4300

AGENT Goldston Engineering
P.O. Box 2886
Corpus Christi, Texas 78403-2886
Telephone: 361-888-8100
POC: William J. Green

LOCATION: The project is located at 175 Lamar Beach Road in Lamar on St. Charles Bay, Aransas County, Texas. The project can be located on the U.S.G.S. quadrangle map entitled: St. Charles Bay, Texas. Approximate UTM Coordinates: Zone 14; Easting: 698900; Northing: 3114100. The dredge material placement area can be located on the U.S.G.S. quadrangle map entitled: Lamar, Texas. Approximate UTM Coordinates: Zone 14; Easting: 696000; Northing: 3116350.

PROJECT DESCRIPTION: The applicant proposes to expand and improve an existing boat ramp facility by replacing the single existing ramp with two new ramps. The two new concrete ramps, each 17 feet wide and 40 feet long, would be constructed immediately east of the existing ramp, and an open slip measuring 32 feet wide and 50 feet long would be located immediately north of the proposed ramps. Two 5-foot-wide wooden walkways would be constructed on either side of the proposed boat ramp facility, with a 77-foot-long walkway along the south edge of the ramp and a 57-foot-long walkway separating the ramp area from the open slip. A 50-foot-long walkway would be located along the north edge of the open slip. An 8,400-square-foot area in front of the proposed boat ramps would be mechanically dredged to a final depth of -4 feet mean sea level. The approximate 1,000 cubic yards of dredged material would be taken by truck to an upland placement area in Holiday Beach. Approximately 522 linear feet of bulkhead would be installed along the shoreline, with the majority of the bulkhead installed along the existing shoreline and above the mean high water (MHW). An approximate 77-foot-long section of the bulkhead along the southwestern shoreline would require that 5 cubic yards of fill material be placed at or below the MHW. In addition, the proposed boat ramps would be located approximately 20 feet further east of the existing ramp to move the ramps further from the road to improve safety during trailering operations. Approximately 95 cubic yards of fill would be placed into a portion of the existing boat ramp and the area adjacent to the ramp that measures 77 feet in length and 10-20 feet in width. The applicant also proposes to install an approximate 155-foot-long breakwater that would consist of a single wall of shore guard panels. The proposed breakwater would not be connected to the land at its western terminus. A 100-foot-long leg of the breakwater would extend west to east and be located perpendicular to the shoreline and a 55-foot-long leg would extend from the east end of the first leg and would parallel the shoreline. The applicant's plans are enclosed in 10 sheets.

NOTES: This public notice is being issued based on information furnished by the applicant. This information has not been verified.

A preliminary review of this application indicates that an Environmental Impact Statement (EIS) is not required. Since permit assessment is a continuing process, this preliminary determination of EIS requirement will be changed if data or information brought forth in the coordination process is of a significant nature.

Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404 (b)(1) of the Clean Water Act (CWA).

OTHER AGENCY AUTHORIZATIONS: Texas Coastal Zone consistency certification is required. The applicant has stated that the project is consistent with the Texas Coastal Management Program goals and policies and will be conducted in a manner consistent with said Program.

STATE WATER QUALITY CERTIFICATION: This project incorporates the requirements necessary to comply with the Texas Commission on Environmental Quality's (TCEQ) Tier I project criteria. Tier I projects are those which result in a direct impact of three acres or less of waters of the state or 1500 linear feet of streams (or a combination of the two is below the threshold) for which the applicant has incorporated best management practices and other provisions designed to safeguard water quality. The Corps has received a completed checklist and signed statement fulfilling Tier I criteria for the project. Accordingly, a request for 401 certification is not necessary and there will be no additional TCEQ review.

NATIONAL REGISTER OF HISTORIC PLACES: The staff archaeologist has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible, and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

The permit area has been so extensively modified that little likelihood exists for the proposed project to impinge upon a historic property, even if present within the affected area.

THREATENED AND ENDANGERED SPECIES: Preliminary indications are that no known threatened and/or endangered species or their critical habitat will be affected by the proposed work.

ESSENTIAL FISH HABITAT: This notice initiates the Essential Fish Habitat consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Our initial determination is that the proposed action would not have a substantial adverse impact on Essential Fish Habitat or Federally managed fisheries in the Gulf of Mexico. Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the National Marine Fisheries Service.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-330, the Regulatory Programs of the Corps of Engineers, and other pertinent laws, regulations and executive orders. The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal, will be considered: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and, in general, the needs and welfare of the people.

SOLICITATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Impact Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This public notice is being distributed to all known interested persons in order to assist in developing facts upon which a decision by the Corps of Engineers may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues are substantial and should be considered in the permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before **2 September 2004**. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. **If no comments are received by that date, it will be considered that there are no objections.** Comments and requests for additional information should be submitted to:

Marie C. Pattillo
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U.S. Army Corps of Engineers
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DISTRICT ENGINEER
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